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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/190,129	11/12/1998	JOSEPH M. CANNON	CANNON36-37-	6291

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EXAMINER	
GAUTHIER, GERALD	
ART UNIT	**PAPER NUMBER**
2645	13

DATE MAILED: 09/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/190,129	CANNON ET AL.	
	Examiner	Art Unit	
	Gerald Gauthier	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 8-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 8-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 1-3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama (US 5,894,505) in view of Shepherd (US 2002/0051528).

Regarding **claim 1,** Koyama discloses a telephone answering machine (column 1, lines 6-7), (which reads on claimed "a voice messaging system"), comprising:

a telephone line interface (2 on FIG. 1);

a voice recorder/playback module (8 on FIG. 1);

a controller (13 on FIG. 1) adapted to control functions of the voice messaging system (column 9, lines 36-44) [The main control unit controls operation of the messaging unit system];

a ring signal bypass module (4 on FIG. 1) adapted to detect a presence of non-ring signal (column 10, line 19 "a polarity reverse signal") initiated by a caller (column 10, line 24 "calling party") utilizing the telephone line interface indicating a presence of an incoming call (column 10, line 25 "receive calling party information from the exchange"), and to cause the voice message system to (column 10, lines 16-59) [The

call detection circuit detects the reversal line from the communication line identifying an incoming call and make the response message unit output a first response message].

Koyama fails to disclose directing the incoming call without an audible ring signal to announce the incoming call by the system.

However, Shepherd teaches directing the incoming call without an audible ring signal (¶ 0041, line 6 "line reversal") to announce the incoming call by the system (¶ 0041) [The no-ring detector respond to a line reversal to answer the call].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Koyama by adding the no-ring call detector circuit is arranged to respond to a line reversal and appropriate frequency signaling to answer the call by Shepherd.

The modification will allow the capability of the no-ring call detector circuit arranged to respond to a line reversal and appropriate frequency signaling to answer the call such that the system would provide telecommunications service to customers.

Regarding **claim 2**, Koyama discloses a telephone line interface is adapted to detect a line reversal on the telephone (column 10, lines 18-20) .

Regarding **claim 3,** Koyama discloses a voice messaging system as telephone-answering device (FIG. 1).

3. **Claims 4-6, 8-10 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shepherd in view of Koyama.

Regarding **claim 4,** Shepherd discloses a telecommunications networks (¶ 001), (which reads on claimed "a method for allowing bypass of ring signal in a system"), comprising:

answering the incoming call (¶ 0041, line 7 "answer the call") by the system without an audible ring signal (¶ 0041, line 9 "the no-ring call") to announce the incoming call by the system (¶ 0041) [The no-ring call detector responds to a line reversal to answer the incoming call without any ring to the customer premise].

Shepherd fails to disclose that the customer premises equipment is a voice messaging system and receiving a non-ring signal initiated by a caller.

However, Koyama teaches an answering machine responding to a line reversal signal (column 10, lines 6-11);

receiving a non-ring signal (column 10, line 19 "a polarity reverse signal") initiated by a caller (column 10, line 24 "calling party") at a telephone line interface indicating a presence of an incoming call (column 10, line 25 "receive calling party information from the exchange") to the voice messaging system (column 10, lines 16-59).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Shepherd by adding the call detection circuit detecting the reversal line from the communication line identifying an incoming call and make the response message unit output a first response message of Koyama.

The modification will have the capability to detect the reversal line from the communication line identifying an incoming call and make the response message unit output a first response message such that the customer premise would have a telephone answering machine, which identifies a large amount of calling party information.

Regarding **claims 5 and 9**, Koyama teaches playing an outgoing greeting message to a caller associated with the incoming call without requiring reception of any ring signal relating to the incoming call (column 10, lines 54-59); and

allowing the caller to record a voice message (column 10, lines 62-65).

Regarding **claims 6 and 10,** Koyama teaches allowing a caller associated with the incoming call to record a voice message without requiring reception of any ring signal relating to the incoming call (column 10, lines 62-65).

Regarding **claim 8,** Shepherd discloses a telecommunications networks (page 1, paragraph 001), (which reads on claimed "an apparatus for allowing bypass of ring signal in a system"), comprising:

means for answering the incoming call (¶ 0041, line 7 "answer the call") by the system without an audible ring signal (¶ 0041, line 9 "the no-ring call") to announce the incoming call (¶ 0041) [The no-ring call detector responds to a line reversal to answer the incoming call without any ring to the customer premise].

Shepherd fails to disclose that Shepherd's customer premises equipment is a voice messaging system and means for receiving a non-ring signal initiated by a caller.

However, Koyama teaches an answering machine responding to a line reversal signal (column 10, lines 6-11); and

means for receiving a non-ring signal (column 10, line 19 "a polarity reverse signal") initiated by a caller (column 10, line 24 "calling party") at a telephone line interface indicating a presence of an incoming call (column 10, line 25 "receive calling party information from the exchange") to the voice messaging system (column 10, lines 16-59).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Shepherd by adding the call detection circuit detecting the reversal line from the communication line identifying an incoming call and make the response message unit output a first response message of Koyama.

The modification will have the capability to detect the reversal line from the communication line identifying an incoming call and make the response message unit output a first response message such that the customer premise would have a telephone answering machine, which identifies a large amount of calling party information.

Regarding **claim 12,** Shepherd discloses a telecommunications networks (page 1, paragraph 001), (which reads on claimed "a method of allowing a calling party to bypass a ring signal in a system of a called party"), the method comprising:

providing a ring signal bypass module (18 on FIG. 3) in the system (¶ 0041) [The no-ring detector is arranged to respond to a line reversal signal].

Shepherd fails to disclose that Shepherd's customer premises equipment is a voice messaging system, a voice memory, activating the ring signal bypass module based on a request and bypassing an audible ring signal.

However, Koyama teaches an answering machine responding to a line reversal signal (column 10, lines 6-11);

the voice messaging system including voice message memory (8 on FIG. 1) for recording a voice message (column 9, line 12 "a message");

activating the ring signal bypass module based on a request (column 10, line 3 "when a calling party calls") from the calling party (column 10, lines 3-8) [The calling party calls the telephone answering machine and the reverse line transmits the call related information]; and

bypassing an audible ring signal (column 10, line 19 "a polarity reverse signal") by the system announcing an incoming call (column 10, line 25 "receive calling party information from the exchange") from the calling party (column 10, line 24 "calling party") to the voice messaging system (column 10, lines 16-59).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Shepherd by adding the call detection circuit detecting the reversal line from the communication line identifying an incoming call and make the response message unit output a first response message of Koyama.

The modification will have the capability to detect the reversal line from the communication line identifying an incoming call and make the response message unit output a first response message such that the customer premise would have a telephone answering machine, which identifies a large amount of calling party information.

4. **Claims 11 and 13-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shepherd in view of Koyama and in further view of Borland et al. (US 6,128,382).

Regarding **claim 11,** Borland teaches inputting a request for a transmission of the non-ring signal from a calling party's telephone (column 7, lines 24-35).

Regarding **claim 13,** Borland teaches allowing the calling party to record a voice message in the voice message memory before reception of any ring signal (column 6, lines 29-46).

Regarding **claim 14,** Borland teaches entering a request for performance of the step of bypassing all ring signals by the calling party (column 6, lines 4-8).

Regarding **claim 15,** Borland teaches the request is entered by the calling party before a telephone number of the called party is dialed by the calling party (column 4, lines 55-59).

Response to Arguments

5. Applicant's arguments with respect to **claims 1-15** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

g.g.
September 15, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600